


to conduct the requested hearing. One of the first issues before the due process hearing officer will be to determine whether the matter raised by the [REDACTED] is a proper subject for a due process hearing under IDEA. Petitioners are entitled to either a due process hearing under IDEA or an appeal to the State Superintendent for review of the County Superintendent's decision, not both.

In the interest of effective use of state resources, the State Superintendent hereby stays the appeal of the County Superintendent's decision of lack of jurisdiction to hear the [REDACTED] appeal of the decision of the Havre Board of Trustees under Section 20-3-107, Montana Codes Annotated (MCA) for a period of 45 calendar days from the date of this notice. At the end of that 45 day period, the State Superintendent will review the status of the IDEA due process hearing and schedule a telephone conference with the parties and, if necessary, establish a briefing schedule.

DATED this 23 day of August, 1995.



NANCY KEENAN

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on this 23rd day of August, 1995, a true and exact copy of the foregoing NOTICE and ORDER was mailed, postage prepaid, to the following:



Board of Trustees
School District 16/A
P.O. Box 7791
Havre, MT 59501

Shirley Isbell
County Superintendent
Hill County Courthouse
315 4th Street
Havre, MT 59501

David G. Rice
County Attorney
Hill County Courthouse
315 4th Street
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Linda Brandon-Kjos
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